

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

BLUE SPIKE, LLC,  
*Plaintiff,*

V.

TEXAS INSTRUMENTS, INC.

*Defendants.*

BLUE SPIKE, LLC,  
*Plaintiff,*

**v.**

AUDIBLE MAGIC CORPORATION,  
ET AL.

*Defendants.*

Civil Action No. 6:12-CV-499-LED

(LEAD CASE)

## JURY TRIAL DEMANDED

Civil Action No. 6:12-CV-576-LED

(CONSOLIDATED WITH 6:12-CV-499)

## JURY TRIAL DEMANDED

**DECLARATION OF JEREMY JORDAN IN SUPPORT OF FACEBOOK'S MOTION  
TO SEVER PURSUANT TO 35 U.S.C. § 299 AND TRANSFER VENUE PURSUANT TO  
28 U.S.C. § 1404(a)**

I, Jeremy Jordan, hereby declare:

1. I am employed by Defendant Facebook, Inc. as a Litigation Paralegal and provide this declaration in support of Facebook's motion to transfer this action to the United States District Court for the Northern District of California. I declare that the following statements are true to the best of my knowledge, information, and belief, formed after a reasonable inquiry under the circumstances. If called upon to testify, I could and would competently testify thereto.

2. Facebook is a Delaware corporation with its headquarters and principal place of

business in Menlo Park, California. Facebook moved to Palo Alto, California, in June 2004, just months after its initial launch in February 2004. From June 2004 to its move to Menlo Park in 2011, Facebook's headquarters and principal place of business was in Palo Alto. Both Menlo Park and Palo Alto are within the Northern District of California. Menlo Park is more than 1800 miles from Tyler, Texas.

3. Facebook's management team and primary engineering facilities are located at its headquarters in Menlo Park. Nearly all of the highly proprietary information and source code relating to the [www.facebook.com](http://www.facebook.com) website are stored in Facebook's various data centers, which are accessible and ultimately managed from Menlo Park. The same is true for nearly all of the information related to Facebook's general operations, marketing, financials, and customer service.

4. The vast majority of Facebook employees knowledgeable about the design, development, and operation of the [www.facebook.com](http://www.facebook.com) website are located at Facebook's Menlo Park headquarters.

5. Facebook has no offices, facilities, or employees working in the Eastern District of Texas. I am aware of no relevant documents located in the Eastern District of Texas.

6. Facebook's tag suggestion technology recommends identities of faces in users' photos.

7. Facebook originally licensed this technology from Face.com. It acquired Face.com in 2012 and hired many of its employees. Facebook in its Initial Disclosures identified two key former Face.com employees, Dan Barak and Yaniv Taigman. Barak and Taigman now work for Facebook and are knowledgeable about how the tag suggestion technology works. Barak and Taigman have continued to develop the tag suggestion technology.

8. Facebook licenses Audible Magic's content recognition technology. Facebook has no confidential information about how Audible Magic's technology operates.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed in Menlo Park, California on this 24<sup>th</sup> day of June, 2014.

  
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Jeremy Jordan